

CONVENTION ON INTERNATIONAL TRADE IN ENDANGERED SPECIES  
OF WILD FAUNA AND FLORA

---

Fifty-third meeting of the Standing Committee  
Geneva (Switzerland), 27 June-1 July 2005

Interpretation and implementation of the Convention

African elephant

CONTROL OF TRADE IN AFRICAN ELEPHANT IVORY

1. This document has been prepared by the Secretariat.

Background

2. At its 13th meeting (Bangkok, October 2004), the Conference of the Parties adopted an action plan for the control of trade in African elephant ivory (Annex 2 to the Decisions of the Conference of the Parties in effect after the 13th meeting). This places responsibilities upon the African elephant range States and the Secretariat. The Secretariat is required to report on implementation of the action plan at each meeting of the Standing Committee.

Range State activities

3. African elephant range States are required to report to the Secretariat upon their progress in implementing the action plan by 31 March 2005. At the time of writing (mid-April 2005), Cameroon, the Democratic Republic of the Congo, Ethiopia, Kenya, Namibia, Senegal and South Africa had submitted reports.
4. Ethiopia's progress has been particularly impressive. As was reported to the Standing Committee previously, Ethiopia had requested assistance, and a training workshop and trade assessment were conducted jointly by the Secretariat and TRAFFIC in 2004. The workshop was funded by the World Wide Fund for Nature. In early 2005, over 200 officials from various local and federal agencies conducted an operation in the nation's capital city of Addis Ababa and raided 66 outlets where ivory and other wildlife specimens were being sold illegally. Large quantities of specimens were seized. Administrative fines have been imposed in some cases and prosecutions are taking place in others. This coordinated action serves as an excellent example for other countries.

Activities by the Secretariat

5. As required by the action plan, the Secretariat has started work related to publicity and to seeking assistance from relevant organizations. The action plan was brought to the attention of the World Customs Organization's Enforcement Committee in February 2005. Delegates to the Committee each received a copy of a Video Compact Disk (VCD), containing a film intended to raise awareness among law enforcement personnel of the illegal trade in ivory and ways to combat it. The VCD was produced by the Environmental Investigation Agency (a non-governmental organization), with the cooperation of the CITES Secretariat. The action plan will also be publicized at the meeting of the Interpol Wildlife Crime Working Group in May 2005 and at an Interpol Environmental Crime Conference in early June.
6. The Secretariat has designed a very simple poster to raise awareness of illegal trade in ivory, which emphasizes the criminal activity associated with the trade. It is currently being finalized and the Secretariat will make it available on the CITES website in a 'pdf' format. This will allow it to be readily downloaded and reproduced by Parties. Although it could be used anywhere in the world, it is perhaps best suited to places where illegal trade occurs. The Secretariat encourages its display

particularly in markets and ports. The Secretariat has also placed an identification manual for ivory (in English, French and Spanish) in the 'Publications' section of the CITES website.

7. The Secretariat will contact those range States that have yet to report progress and remind them of the consequences should progress not to be made. It will also review the reports that have been submitted, and those that will subsequently be submitted, and will decide what *in situ* verification work is required. Owing to the lack of Secretariat resources (human and financial), great care will be taken in prioritizing which countries should be visited. The Secretariat intends to make use of information that may be available from a range of sources, including non-governmental organizations, during this process. Consideration will also be given to incorporating *in situ* verification work into other Secretariat activities, for example by combining this with capacity-building work. The Secretariat will also continue its work in relation to ivory trade occurring outside Africa.

#### Verification work already undertaken

8. The Secretariat previously reported to the Standing Committee its intention to conduct *in situ* verification missions to China and Japan to assess their internal ivory controls. This was in relation to the Secretariat's research into illicit trade in ivory and domestic ivory markets. Such missions were conducted in March 2005 and involved personnel from the CITES Secretariat, the World Customs Organization and TRAFFIC. The Secretariat wishes to express its sincere appreciation to the latter two organizations for their assistance. It also thanks the Government of the United Kingdom of Great Britain and Northern Ireland, which funded the missions.
9. The report (in English only) of the technical mission to China is attached to this document as an Annex.
10. Additionally, China and Japan had advised the Secretariat that they wished to be assessed as prospective importing countries, in terms of the annotation relating to the ivory stocks of Botswana, Namibia and South Africa. The Conference of the Parties has already decided that trade in these stocks may occur if a number of conditions have been met. The relevant part of the annotation is as follows.
  - ii) *only to trading partners that have been verified by the Secretariat, in consultation with the Standing Committee, to have sufficient national legislation and domestic trade controls to ensure that the imported ivory will not be re-exported and will be managed in accordance with all requirements of Resolution Conf. 10.10 (Rev. CoP12) concerning domestic manufacturing and trade.*
11. Having considered the report of the mission team, and taking into account other work done by the Secretariat, the Secretariat is of the opinion that China fulfils the requirements of the annotation and the Resolution. Having reached such a conclusion, the Secretariat remains conscious that China continues, along with many other countries, to be a destination for illicit trade in ivory. Consequently, it believes it would not be appropriate for the Standing Committee to make any final decision regarding this matter at the present meeting. Indeed, it is unnecessary for such a decision to be taken at this time, since other conditions included in the annotation have yet to be met and it is not expected that they will be completed in the immediate future.
12. Instead, the Secretariat suggests that it should continue to closely monitor the situation of ivory trade in China and its compliance with Resolution Conf. 10.10 (Rev. CoP12) (Trade in elephant specimens). Should there be nothing to alter its current opinion at the time the other annotation conditions have been met, the Secretariat will immediately recommend to the Standing Committee that China be designated a trading partner.
13. The verification process in relation to Japan, which also indicated its desire to be designated a trading partner, has yet to be completed. The Secretariat continues to work closely with the Government of Japan on this matter but has no recommendation to make to the Standing Committee at this time.

## Conclusion

14. The Secretariat is of the opinion that there are no decisions in relation to trade in African elephant ivory that require to be taken by the Standing Committee at the present meeting and simply requests the Committee to note this report.



## CITES Secretariat Technical Mission Report



Verification mission related to the control of internal trade in ivory in China

7 –11 March 2005



## Background

1. Prior to the 13th meeting of the Conference of the Parties (Bangkok, 2004), the Secretariat had begun work to assess the adequacy of the controls over internal trade in ivory in a number of Parties. One of the Parties that were allocated priority was China. The primary reason for such priority was the fact that China has historically been a significant destination for illicit trade in ivory, especially in recent years. In this regard, in two successive analyses of raw ivory and ivory product seizure records under the auspices of the Elephant Trade Information System (ETIS) and reported to the Conferences of the Parties, China was identified as the single most important influence on the increasing trend in illegal trade in ivory since 1995. Of secondary importance was the requirement in the relevant annotation for some populations of *Loxodonta africana* that trade can only occur to “partners that have been verified by the Secretariat, in consultation with the Standing Committee, to have sufficient national legislation and domestic trade controls to ensure that the imported ivory will not be re-exported and will be managed in accordance with all requirements of Resolution Conf. 10.10 (Rev. CoP12) concerning domestic manufacturing and trade.”
2. During interaction with the Secretariat in relation to China’s work in combating illegal trade, which the Secretariat had already reported to the Standing Committee would be assessed *in situ*, the Chinese CITES Management Authority indicated that China also wished to be considered as a trading partner.
3. Consequently, a verification mission was planned to assess China’s compliance with Resolution Conf. 10.10 (Rev. CoP12) (Trade in elephant specimens) and to determine whether the Secretariat could recommend to the Standing Committee that China should be a trading partner as defined in the relevant annotation.

## Conduct of the missions

4. The mission team consisted of Mr John M. Sellar, the CITES Secretariat’s Senior Enforcement Officer, Mr Kazunari Igarashi, Technical Officer, World Customs Organization Secretariat and Mr Thomas I. Milliken, Director, TRAFFIC East/Southern African, in which office ETIS is maintained on behalf of the CITES Secretariat.
5. In advance of the mission, the CITES Management Authority of China was asked to prepare a draft programme in accordance with guidance provided by the Secretariat, including activities in certain cities nominated by the Secretariat. These cities were chosen taking into account research by the Secretariat that showed locations where ivory trade was, or had been, active or where significant attempts had been made to import ivory illegally into the country. The Secretariat also indicated the type of government agencies, non-governmental organizations, companies and individuals that the team wished to meet and the type of inspections and visits that the team wished to undertake.
6. The team reviewed the suggested programmes in advance of the mission and also during initial meetings with government officials in China. Final selections were then made of sites that the team wished to visit, although the team retained the right to alter the programme in light of progress or discoveries made during the missions.

## Introduction

7. The mission was conducted from 7 to 11 March 2005. On the first business day of the mission, the team was welcomed at a formal meeting with the Vice-Minister of the State Forestry Administration (SFA) of China. There then followed a series of briefings by the CITES Management Authority and Scientific Authority of China, the State Administration for Industry and Commerce (SAIC) and also the Department of Wildlife Conservation Management Division of the State Forestry Administration; this is the government department with primary responsibility for the administration and implementation of China’s domestic controls on wildlife trade, along with SAIC. Officials were also present from the Anti-Smuggling Bureau, one of the police authorities of the State Customs General Administration and the Bureau of Forest Security, one of the police authorities of SFA. Representatives of China’s Arts and Crafts Association also made a presentation to the team, as did the China Wildlife Conservation Association, IFAW China and TRAFFIC East Asia - China.

8. These various presentations outlined: the controls that China has put in place for regulating trade in ivory and the relevant legislation; the work being conducted to conserve wild populations of elephants in China, including participation in MIKE (Monitoring Illegal Killing of Elephants); some of the enforcement work that has been conducted internally and at the country's borders; participation in ETIS; and the historical and cultural importance of ivory carving. The three non-governmental organizations (NGOs) provided an overview of their public education work, their conservation initiatives and of their surveys of domestic trade in ivory.
9. IFAW China indicated that it is currently engaged in a major survey of the trade in ivory and expects to have the results of this available in a few months' time. IFAW's China Director was asked specifically whether his organization found the controls that China has put in place to be effective and he replied that he did. He was then asked whether his organization found the response of the enforcement authorities in China to information provided by NGOs to be satisfactory and he again answered in the affirmative. He added, however, that IFAW would be better placed to comment once its survey was complete. TRAFFIC highlighted aspects of trading ivory over the internet and the challenge this presented to law enforcement in China.
10. The Arts and Crafts Association appeared to have little knowledge of the ivory trade outside of those companies and artisans that had close links with the Government or which had been either government-owned or government-operated. They denied any knowledge of illegal trade activities.

#### Trade controls – background

11. China's legislation allows for both administrative and criminal penalties in relation to offences involving wildlife. *Elephas maximus* and *Loxodonta africana* are both regarded as 'First Grade' species. Offences involving such species risk severe penalties. Domestic poaching of elephants can attract prison terms of up to 10 years. Illegal trade attracts very substantial fines and possible imprisonment, and illegal import or export offences can attract the death penalty (and have done so).
12. China regulates wildlife trade and deals with offenders through a variety of primary legislation, Supreme Court decisions and State and local administrative instructions. Although this approach can appear cumbersome and confusing, the outcome of enforcement actions and investigations makes clear that it can be, and regularly is, implemented effectively. In terms of putting in place penalties to act as a deterrent to potential offenders, China possibly leads the world.
13. Following the uplisting of Africa's elephant populations to Appendix I in the late 1989, China initially allowed domestic trade in ivory to continue. However, in the early 1990s, it issued instructions that all trade should cease. Since, at that time, the majority of significant trade in ivory was conducted by government-owned or government-operated/controlled enterprises, this instruction would appear to have been effectively communicated to all such enterprises. Since imports of ivory, and their subsequent delivery to such enterprises, were also under the regulation of the Government it was relatively easy for China to halt supplies to its internal market.
14. However, there is evidence that suggests that a reduced level of manufacturing and retail-level sale of ivory continued during the mid 1990s and early 2000s. It also appears that, to some extent, private enterprises sprung up to join or take the place of the government-controlled manufacturers and retailers and several surveys during this period showed that ivory was relatively readily available in many markets and stores, and that carving continued, even though such activities were ostensibly illegal. The authorities in China assured the team that the ban on internal trade in ivory was being enforced during this period. Various published surveys during the period in question tend to indicate, however, that it probably was not rigorously enforced.
15. In any event, in the early 2000s, China decided to review the halt in the domestic trade in ivory and, during this review, noted that the halt had not reached the expected results for a variety of reasons. In addition, it was noted that traditional carving skills were being lost and that very few young people were entering the trade to replace ageing craftsmen and women. It also took into account the views of a majority of the CITES community, which appeared to favour the sustainable legal use of ivory, as demonstrated by the allowance of conditional one-off sales of southern African ivory

stockpiles. The Government subsequently decided to gradually re-open domestic trade in ivory under strict controls.

16. What is abundantly clear is that China is now firmly committed to eradicating illegal activities and to allowing domestic manufacturing and sales of ivory in a closely regulated fashion; in the hope that China can eventually become a legal importer of ivory from legitimate African sources and stockpiles.

#### Trade controls – in practice

17. Having decided to reopen the trade, China allowed a few processors and retailers to register and to begin to work and sell ivory from their existing stocks. The number of such enterprises has gradually increased. At the time of the verification team's visit, 11 processing enterprises (with 12 sites) and 51 'selling sites' (wholesalers and retailers) had been registered and were operating. Each site is required to display an official accreditation sign on the premises and this sign also advises potential customers, in Chinese and English, that sales are restricted to domestic trade (see image 1).
18. Most of these sites were previously government-owned or -controlled and, thus, it was relatively easy to determine whether their ivory stocks were of legal origin. A number of enterprises that applied but were unable to demonstrate that they had legally-imported stocks have been refused registration. This situation means, of course, that 'private' enterprises that were active during the period of a cessation of trade have generally not been able to register. Indeed, the first opportunity that anyone who was not previously part of the government-industry or who did not have access to another source of legally-imported ivory (such as pre-Convention ivory) will have to register will presumably be if, and when, more legal stocks of ivory are imported into China.
19. It is difficult to imagine what such 'private' enterprises will do in the meantime. The team was of the opinion that if such enterprises decide to continue illicit activities they will have to do so in a very 'underground' manner, since it seems highly likely that the enforcement authorities will gradually 'pick them off' one-by-one, as they have been doing and are doing (both through their own efforts and when reacting to information provided by the public, law enforcement sources, the CITES Secretariat and NGOs).
20. At the start of the reopening of trade the authorities conducted a survey of all stocks (raw and worked) held by registered sites and these have been recorded in a database operated by China's Wildlife Detecting Centre, located in Harbin in northern China, which is the country's wildlife forensic science facility and which is under direction of the Department of Wildlife Conservation of SFA and attached to the Northeast Forestry University of the Ministry of Education. The Centre has previously been visited by the CITES Tiger Technical Missions and it has cooperated with the U.S. Fish and Wildlife Service's forensic laboratory.
21. All existing processed pieces presently available in the retail market for sale were entered into the database and were allocated a unique product number. A 'certificate' has subsequently been issued for each individual piece. During the initial stages of the reopening of the trade, the Centre decided that the certificate of every item that was valued in excess of CNY 500 (approximately USD 75) would require to bear a photograph of the item. The certificate comes in a plastic credit card-style format. The certificate also explains, in Chinese and English, that items cannot be removed from China without special government permission. When asked by the team in what type of circumstances such permission would be granted, the CITES Management Authority of China explained that this was to cater for such as a Chinese national who owned ivory carvings and wished to take them abroad as part of a personal effects or household goods movement. Registered traders pay a small administrative fee for each certificate. (Image 2 shows a carved piece of ivory in a shop's display cabinet, with its certificate alongside. Image 3 shows the front of a certificate in close-up. Image 4 shows the reverse of a certificate in close-up.)
22. As processors produce new items, they must report to the relevant authority and the Centre, give details of the products and be issued with corresponding certificates. The relevant information is then entered into the database so that a record is kept of each item. The possession and use of raw ivory stocks with registered processors is also monitored through this database system.

23. If an item is worth less than CNY 500, a certificate is still issued but no photograph is present. For example, the majority of the 'chop' name seals seen by the mission team cost less than CNY 500 and although each had a corresponding certificate, no photograph was present. Whilst the lack of any specific link between such a relatively featureless piece of worked ivory and its corresponding certificate might make the issuance of certificates seem questionable or pointless, the team was of the view, nonetheless, that the requirement for the issuance of a certificate for every individual piece of ivory was an important element in the control system's tracking of raw ivory. The team recognized, however, that over time the database would contain very large quantities of data. It is perhaps relevant that China does not appear to have such a significant market for ivory chops or name seals, such as exists in Japan, and that the majority of the ivory seen by the team had been carved and often had individual characteristics.
24. The part of the database that records individual products is accessible by the public through the Internet so that, for example, someone who wishes to buy a product could note the number of the accompanying certificate and then check this through the relevant website where, by entering the number, they could see the information regarding the object and a photograph of it (if it is worth over CNY 500). The relevant website can be accessed at [www.wildlife-plant.gov.cn](http://www.wildlife-plant.gov.cn). The team received a demonstration of this system and confirmed that it works.
25. Officials from central and provincial government agencies, such as the Department of Wildlife Conservation Management Division, SAIC or Forest Police are entitled to inspect registered sites and examine their stocks and records.
26. The team visited and inspected accredited ivory processors and retail outlets in Beijing, Shanghai, Hangzhou and Guangzhou. The stocks of both raw and worked ivory were examined and the presence of certificates for worked products was verified. In most cases, the control system appeared to be implemented effectively. In one location, however, the certificates for some products priced at a value that was somewhat more than CNY 500 did not feature a photograph as expected. This was an exception to the general observation of compliance in other locations and presumably will be corrected through administrative guidance, especially once a defining point is made compulsory.
27. The team also randomly visited a number of markets and retail shops in Beijing and Guangzhou that reportedly had no designated ivory selling enterprises to see whether there was any evidence of ivory products being sold outside of the official control system. Some evidence of retail trade in limited quantities of ivory products, mostly small items, was found at a number of stalls in the Panjiayuan Antique Market in Beijing and one shop in the duty-free section of Guangzhou International Airport. The mission provided details of these findings to the Chinese authorities and the Secretariat has since been advised that appropriate action has been taken.

### Enforcement

28. During its visits to Beijing, Shanghai, Hangzhou and Guangzhou, the team met with local government administration officials, Customs and Forest Police. In both Shanghai and Guangzhou it visited the stores of Customs authorities where some very large quantities of confiscated ivory were being kept. These consisted of both raw and worked ivory, intercepted as attempts were made to import them illegally into China.
29. Customs in China appears to make use of modern risk assessment, targeting and profiling techniques to detect and seize ivory. Several ports have been equipped with X-ray equipment capable of screening containers of sea-cargo size. Ivory has been seized in quantities ranging from shipments of several tonnes of raw ivory that were clearly of a criminally commercial nature to individual items confiscated from individuals returning from travelling abroad for leisure or work. Specialized Customs anti-smuggling investigation units, who have received police investigation training and who, in fact, wear police uniforms, follow-up significant interceptions made by their border control and port inspection colleagues. It is such units that have gathered the evidence that has led, for example, to offenders being sentenced to death, life, or long imprisonment.

30. There seems to be absolutely no reluctance whatsoever on the part of the prosecution authorities in China to take serious offenders before the courts. Guidelines for determining when criminal prosecutions should occur have been agreed between the various relevant authorities, as have values to be allocated to species and their parts and derivatives, which can be used in determining administrative and criminal penalties.
31. The team was advised of seizures and investigations that had occurred away from the borders. These have been on a case-by-case basis but also as part of national or provincial 'crackdowns' on wildlife crime. Public education and awareness-raising campaigns are undertaken at national and provincial levels on a regular basis.
32. The CITES Management Authority of China regularly engages in awareness-raising and training among national and provincial law enforcement agencies. Manuals on wildlife law enforcement, prepared with the support of law enforcement agencies elsewhere in the world, other governments, the CITES Secretariat and NGOs have been published and distributed. The ETIS training material has been translated into Chinese by TRAFFIC and several training seminars for Customs and Forest Police, related to ETIS, have been conducted.
33. The authorities in China display an impressive willingness to engage with the non-governmental community and to respond rapidly and effectively to information relating to illicit trade.

#### Auction of confiscated ivory

34. China now has some significant stockpiles of confiscated ivory, both raw and worked ivory. Some of the confiscated stocks of raw ivory are very large and of very high quality. They are clearly of considerable value. Two such stocks that the team inspected are being kept in conditions that ensure the ivory maintains its quality and is not allowed, for example, to dry out and crack. There are, of course, costs associated with such storage.
35. In November 2004, the authorities in Guangdong province decided to hold an auction of confiscated raw and worked ivory, amounting to over 950 kg in weight. Only registered and accredited traders were allowed to bid for the ivory. The sale raised over CNY 2.6 million (approximately USD 320,000) and this sum has reportedly been dedicated for use in wildlife conservation and law enforcement.
36. Such a sale of confiscated Appendix-I specimens, if conducted today, would be contrary to the recommendations in Resolution Conf. 9.10 (Rev. CoP13) (Disposal of illegally traded, confiscated and accumulated specimens). However, it occurred at a time when the amendments to the Resolution, adopted at the 13th meeting of the Conference of the Parties (CoP13), had yet to take effect.
37. The subject of disposing of confiscated specimens of Appendix-I species was discussed at length with the authorities. The potential negative aspects of such auctions were pointed out. The team recommended, in light of the text adopted at CoP13, that such auctions should not be repeated. The team was conscious, however, that there are potentially positive gains for conservation and law enforcement if the worth of high-value confiscated specimens can be accessed by the State in a safe manner. This, however, is a complex matter that needs the consideration of the CITES Parties and was not an issue of direct concern within the scope of the verification team's terms of reference.

#### Conclusions and recommendations

38. The team was of the opinion that the registration and licensing of all legal operatives in the ivory industry, and the recording and certification scheme that China has established to monitor the legal flow of ivory within the country, was very comprehensive and was satisfied that it was demonstrably effective. The team was also more than satisfied that the Government of China is committed to eliminating illegal trade in ivory, both at the domestic level and at the country's borders. It was the unanimous opinion of the team that China generally complies with the requirements for control of internal ivory trade established in Resolution Conf. 10.10 (Rev.CoP12) (Trade in elephant specimens).

39. The team believes that the legal ivory trade system that has been established in China offers an opportunity to eradicate, or at least significantly reduce, illicit trade. However, it is important that the ivory industry, at a very early stage, should engage in consumer research to assess domestic demand, both to gauge the size of the demand but also the nature of it, i.e. the products that are in demand. If legal outlets can meet this demand, there should be less incentive and opportunity for illicit trade. Such research by industry should also help uncover instances of illegal trade, which should be reported to the authorities immediately.
40. The team saw legal ivory carvings of extremely high standards of workmanship, with correspondingly high prices. The trade can obviously be highly profitable. China's expanding and thriving economy has clearly created a class of domestic consumers that can afford very expensive products. There is clearly considerable incentive for traders to access such markets legally and to cooperate with the authorities in order to ensure that only legal trade takes place. The new system also enables the authorities to very quickly determine whether an ivory product, especially one of a value that requires the corresponding certificate to bear a photograph, is of legal origin.
41. With regard to the certificate scheme for worked products, the team believes that China's decision to create a certificate for every product, regardless of whether it has specific distinguishing features or not, is correct, given the nature of its internal trade. It also believes that the provisional value of CNY 500, under which certificates do not require to bear a photograph of the item, appears to be reasonable and recommends that this now become compulsory. It believes that using weight or size will fail to take account of the intricacy and workmanship that can be involved in some carved pieces and that a monetary value is the most useful gauge and point at which to separate the two types of certificate. The team acknowledges that inflation may, at some future point, make the current figure of CNY 500 inappropriate but thinks that, should this prove to be the case, the value can simply be adjusted accordingly. Since each individual piece is recorded in the database, including its date of registration, the authorities will be able to use this information to identify items that would have been made in earlier times and are, thus, affected by a different value 'benchmark'.
42. The team was very aware that the long-term success of what has been established in China, and the enthusiasm and compliance that is being shown by the accredited traders, depends upon fresh stocks of legal ivory becoming available. If they do not, the system is likely to collapse and it is hard to imagine that illicit trade would not then gain ground.
43. Although impressed by China's enforcement activities, the team believed that there were areas where improvements could be made or where existing practices could be built upon and expanded. These are described in the following paragraphs.
44. Judging by some previous and recent NGO surveys, it would seem that there remains a number of illicit processing and retail facilities operating in China. There may also be facilities that have legal ivory stocks, but which have yet to register under the new scheme. The team is of the opinion that some of these have perhaps gone undetected because they have been established in areas where the ivory trade was not operating during the period when it was previously controlled by the Government or traders simply relocated during the period of the internal ban. The authorities must do everything they can to seek out such facilities and either take appropriate enforcement action against them or bring them into compliance with the legal control system.
45. Particularly in the case of investigations that are likely to result in a criminal prosecution, the team believes that Customs and the Forest Police or Public Security Bureau (Police) could engage in greater communication, collaboration and cooperation with their counterparts elsewhere in the world. Whilst acknowledging that the CITES Management Authority of China is very willing to communicate information to other Parties and to the CITES Secretariat, there appears to be scope for greater use to be made of Interpol's or the World Customs Organization's channels to ensure law-enforcement agency to law-enforcement agency cooperation. This is especially important in pursuing incidents where large consignments of illegal ivory are detected internally or at the borders. It is vital that offenders in the countries of origin or transit are also tracked down and brought to justice.
46. In a similar vein, it would appear that the Customs authorities in China, having been involved in many significant seizures, must have built up an important pool of information regarding smuggling routes

and techniques. This would, if collated and analysed, undoubtedly be an important source of risk assessment, targeting and profiling data for Customs and border control authorities beyond China. The team recommends that such collation, analysis and dissemination be undertaken. It suggests, if Customs in China do not readily have the resources to do this, that they liaise with the World Customs Organization (WCO), especially the relevant WCO Regional Intelligence Liaison Office, which may be able to assist.

47. The team noted that China's submission of data to ETIS, whilst good overall, still leaves some room for improvement and it learned of hundreds of seizures resulting from Customs or internal enforcement actions that have yet to be entered into the ETIS database. China needs to ensure that its reporting to ETIS is comprehensive and up-to-date. It further noted that seizures by Customs are not regularly reported to the WCO Customs Enforcement Network database and recommends that such reporting also be improved.
48. The team was conscious that domestic trade in ivory is also legal in Hong Kong S.A.R., China. For the purposes of trade in specimens of CITES-listed species, 'mainland' China and Hong Kong S.A.R. regard themselves as two different territories and trade between the two requires the issuance of CITES permits or certificates. Each territory has separate legislation implementing the Convention. A Hong Kong citizen, visiting mainland China as a 'tourist', could not purchase an ivory carving from an accredited store and take it home. The team noted that some of the carved ivory pieces that had been confiscated by Customs at China's borders were of a style that indicated that Hong Kong might have been their place of manufacture. Other reports and evidence suggest that the ivory trades in China and Hong Kong S.A.R have become increasingly linked over the last decade.
49. Domestic policies relating to the trade in ivory are, of course, a matter to be determined solely by mainland China and Hong Kong S.A.R. The team could not, however, fail to notice that there is now some conflict or imbalance between the two policies and, if nothing else, this risks causing confusion among the residents of the two territories that could inadvertently lead to illicit trade. The team does not believe it is appropriate for it to make any specific recommendation regarding such domestic policies but believes that it would make sense for the two Management Authorities to discuss this issue. In the meantime, it is important that the two territories maintain high levels of enforcement to detect and deter illicit trade in ivory. The team does think, however, that it is appropriate for it to recommend that the CITES Management Authority of China should, if and when legal imports of ivory take place, designate a specific 'mainland' port or ports of entry where such trade should take place. It also recommends that exporting countries, in liaison with the CITES Management Authority of China, should enter such an import point in the 'special conditions' box of any export permit that is issued.
50. The team was advised that CITES authorities in China have encouraged the Foreign Affairs Ministry to publicize to the country's embassies around the world that it is generally illegal to import ivory to China, unless such imports comply with the Convention, and to communicate this fact to China's nationals living and working abroad. The team noted, however, that the rate of seizures from returning Chinese citizens and the interceptions of ivory acquired by such citizens whilst abroad tend to indicate that more effort is needed in such publicity and awareness-raising campaigns. It urges the Government of China to do more work in this field.
51. Much of the work that has been done at the administrative and enforcement levels in China in recent years is impressive. However, it would be inappropriate to ignore the fact that China has been the most important destination for ivory of illegal origin in recent years. The commitment that was seen by the team during its visit must be maintained. The team recommends that the CITES Secretariat continue to monitor China's involvement in legal and illegal trade. Should China's commitment fall or circumstances change significantly, the Secretariat should not hesitate to submit to the Standing Committee a proposal to halt trade, as allowed for in the relevant annotation for populations of *Loxodonta africana*.

#### Final comments

52. Although the team found information from previous and recent surveys of the ivory trade, conducted or sponsored by non-governmental organizations, useful, it was also very conscious that such

surveys often do not provide details to enable the locations where illicit activities are occurring to be identified. Those who undertake such surveys also apparently tend not to provide such information to the relevant authorities. Whilst there may be good reasons not to disclose such details, not providing this information to the relevant authorities greatly hampers their ability to take enforcement action. The team strongly recommends that such information be communicated in future and points out that this can always be done, on a confidential basis, through the CITES Secretariat.

53. The members of the mission team wish to express their thanks to the many government officials, members of the ivory industry and staff of non-governmental organizations that assisted their work during the visit to China. In particular, the CITES Management Authority and the Department of Wildlife Conservation Management Division of the State Forestry Administration were especially helpful. The team was shown cooperation, openness and hospitality in China that were of the highest standard.

54. The CITES Secretariat wishes to express its sincere appreciation to:

- the Government of the United Kingdom of Great Britain and Northern Ireland, which provided most of the funding to enable the verification work to be conducted; and
- the Secretary General of the World Customs Organization and the Executive Director of TRAFFIC International for allowing their staff members to participate.

Image 1 Accreditation sign on a shop counter



Image 2 Ivory carving with its certificate



Image 3 Front of a certificate



Image 4 Reverse of a certificate

